

CONSIDERATION OF THE HONORABLE H. LAWRENCE GARRETT III, TO BE SECRETARY OF THE NAVY

MAY 11, 1989.—Ordered to be printed

Mr. WARNER, from the Committee on Armed Services,
submitted the following

REPORT

The Committee on Armed Services, having had under consideration the nomination of the Honorable H. Lawrence Garrett III, to be Secretary of the Navy, reports favorably thereon and recommends the nomination be confirmed by the Senate.

COMMITTEE ACTION

On April 20, 1989, the Senate received from President Bush the nomination of the Honorable H. Lawrence Garrett III, to be Secretary of the Navy. The Committee held a public hearing with Under Secretary Garrett on May 3. On May 11, the Committee voted unanimously to report the nomination favorably with the recommendation that the nomination be confirmed by the Senate.

SCOPE OF THE COMMITTEE'S REVIEW OF UNDER SECRETARY GARRETT'S NOMINATION

1. COMMITTEE PROCEDURES

During the 100th Congress, the Committee initiated new procedures for consideration of nominations for civilian appointed positions in the Department of Defense. In addition, the Committee adopted standards to guide its consideration of the qualifications of nominees. The Committee applied these procedures and standards during consideration of Under Secretary Garrett's nomination.

2. REVIEW OF REQUIRED SUBMISSIONS BY THE NOMINEE AND THE EXECUTIVE BRANCH

a. Committee questionnaire

The Committee requires each nominee to complete a questionnaire relating to the nominee's qualifications and potential con-

flicts of interest. Under Secretary Garrett's response to the Committee's questionnaire provided basic biographical and financial information and served as the starting point for the Committee's inquiry into Under Secretary Garrett's qualifications and suitability for the position of Secretary of the Navy. A biographical sketch of Under Secretary Garrett is presented as Appendix 1 of this report.

b. Financial disclosure and background materials

As part of the confirmation process, the Committee obtained Under Secretary Garrett's tax records for the last 3 years. The Committee also received the letters on conflict of interest and related matters required of the nominee, the Office of Government Ethics, and the General Counsel of the Department of Defense. Based upon this information, the Committee concludes that the nominee is in compliance with all applicable laws and regulations governing conflict of interest.

c. FBI summary memorandum on the background investigation of Under Secretary Garrett

The White House provided the Committee with the summary memorandum on the background investigation of the nominee by the Federal Bureau of Investigation (FBI). This document was reviewed by the Chairman and Ranking Minority Member, who briefed the Committee. The Committee also received the required letter from the Counsel to the President outlining the nature and scope of the FBI background investigation. The Committee concludes that there is nothing in Under Secretary Garrett's background, as reflected in the FBI investigation, that would render him unfit to serve as Secretary of the Navy.

3. COMMITTEE PROCEEDINGS

On April 20, 1989, President Bush formally submitted to the Senate the nomination of the Honorable H. Lawrence Garrett III, to be Secretary of the Navy, which was referred to the Committee on that date. The Committee met in public session on May 3 to receive testimony from Under Secretary Garrett on national security policy issues. On May 11, the Committee completed its deliberations on the nomination.

QUALIFICATIONS OF UNDER SECRETARY GARRETT

1. ROLES OF THE SECRETARY OF THE NAVY

The Secretary of the Navy is an extremely important position. The Secretary is the head of the Department of the Navy and, subject to the authority, direction and control of the Secretary of Defense, is responsible for, and has the authority to conduct, all affairs of the Department of the Navy. Beyond the vast duties to manage the Department of the Navy, including its two military services—the Navy and Marine Corps—the Secretary of the Navy has significant responsibilities to the Secretary of Defense. The Secretary of the Navy has a duty to ensure that the policies and programs of his department are fully consistent with overall defense objectives and policies. He also has a statutory requirement to

ensure that the Navy fulfills, to the maximum extent practicable, the current and future operational requirements of the unified and specified combatant commands.

2. COMMITTEE'S EVALUATION OF THE QUALIFICATIONS OF UNDER SECRETARY GARRETT

The Committee determined that Under Secretary Garrett is highly qualified to serve as Secretary of the Navy. Under Secretary Garrett has had a distinguished, public career. He served for 20 years in the U.S. Navy, initially as an enlisted man in submarines, then as a naval flight officer for maritime patrol aircraft, and finally as a member of the Judge Advocate General's Corps. Following his retirement from active duty, Under Secretary Garrett served in a number of key positions, including Associate Counsel to the President and General Counsel of the Department of Defense. In August 1987, Mr. Garrett was appointed as Under Secretary of the Navy.

Under Secretary Garrett received a B.S. degree in Business Management from the University of West Florida and received his law degree (cum laude) from the University of San Diego School of Law.

Under Secretary Garrett's broad experience both as a uniformed member of active duty and as the second highest civilian executive of the Department of the Navy, and his service on the White House staff and the staff of the Office of the Secretary of Defense have admirably prepared him for position of Secretary of the Navy.

A comparison of the qualifications of Under Secretary Garrett with the standards endorsed by the Committee indicate the following:

Standard No. 1. Nominees must be of unquestionable integrity: Under Secretary Garrett's public service reflects adherence to the standards of integrity expected of government employees.

Standard No. 2. Nominees must be capable of performing as members of the Secretary of Defense's management team: Mr. Garrett has served as a member of the Secretary's management team, first as General Counsel of the Department of Defense and then as Under Secretary of the Navy. Based upon his performance in those positions and his written and oral testimony and interviews, the Committee determined that Under Secretary Garrett is capable of effectively performing as a member of Secretary Cheney's management team.

Standard No. 3. Nominees should have a substantial understanding of national security policy and international security affairs: Under Secretary Garrett meets this standard. His 20-year Navy career and his service as DOD General Counsel and Under Secretary of the Navy have provided Mr. Garrett with a solid background on national and international security issues, particularly those related to the Department of the Navy.

Standard No. 4. Nominees must demonstrate a commitment to emphasizing overall national security goals and objectives: Under Secretary Garrett's written and oral testimony provide substantial evidence of his understanding of, appreciation for, and commitment to, U.S. national security goals and objectives. In particular, he emphasized his responsibilities to assist the Secretary of Defense in

the formulation and implementation of a coherent and integrated defense program.

Standard No. 5. Nominees must have substantial experience and expertise within their proposed areas of responsibility: Under Secretary Garrett's service as Under Secretary of the Navy and his 20-year Navy career provide substantial expertise for the duties of the Secretary of the Navy. In particular, his recent service as Navy Acquisition Executive provides a useful background for addressing the Navy's procurement problems, including those identified by the "Ill Wind" investigation.

Standard No. 6. Nominees must be capable managers and administrators: Under Secretary Garrett's service in numerous leadership positions, particularly as DOD General Counsel and Under Secretary of the Navy, have provided useful experience in management and administration.

Standard No. 7. Nominees must be suited by temperament for the demands of defense management: During his career in the Department of Defense, which included two senior civilian assignments, Under Secretary Garrett has worked effectively.

Standard No. 8. Nominees must have a strong commitment to public service: Nearly all of Under Secretary Garrett's adult life has been committed to public service.

Standard No. 9. Nominees must demonstrate an understanding of, and respect for, the Constitutional principles of the Nation, including the legitimate role of the Congress: Under Secretary Garrett's legal training and his service in the Office of the Counsel to President and as DOD General Counsel have provided a firsthand knowledge of Constitutional principles.

CONCLUSION

On May 11, 1989, by a unanimous vote, the Committee on Armed Services approved a motion to report favorably the nomination of the Honorable H. Lawrence Garrett III, to be Secretary of the Navy with the recommendation that the nomination be confirmed by the Senate.

APPENDIX

BIOGRAPHICAL SKETCH OF HON. H. LAWRENCE GARRETT III, PROVIDED BY THE NOMINEE

H. Lawrence Garrett has served as Under Secretary of the Navy since August 6, 1987.

Mr. Garrett was born June 24, 1939 in Washington, D.C. and was raised in Miami, Florida. He enlisted in the United States Navy in October 1961 and subsequently became qualified in submarines as a machinist mate. He received a commission in April 1964 upon completion of flight training, serving as a Naval Flight Officer aboard maritime patrol aircraft. He served operational tours in VP-50 aircraft squadron with deployments to Viet-Nam.

In 1972 he transferred to the Judge Advocate General's Corps, where he rose to the rank of Commander. He served from 1974 to 1978 as Force Judge Advocate/Legal Advisor to the Commander, Submarine Force, U.S. Pacific Fleet, Pearl Harbor, Hawaii. In January 1979, he was detailed to assist in developing the Federal regulations to implement the Ethics in Government Act of 1978. In February 1981, he was detailed to the White House as Assistant Counsel in the Office of Counsel to the President. He retired from the Navy in 1981.

Subsequently, Mr. Garrett was Executive Assistant to the President and Chief Operating Officer of the U.S. Synthetic Fuels Corporation. He later served as Regional Director of the Seattle Regional Office of the U.S. Merit Systems Protection Board. In 1983 he returned to the White House as Associate Counsel to the President, where he served until February 1986. He was appointed General Counsel of the Department of Defense in February 1986 and served in that position until August 1987, when he became Under Secretary of the Navy.

Mr. Garrett received a B.S. degree in Business Management from the University of West Florida and received his law degree (cum laude) from the University of San Diego School of Law.

Mr. Garrett now lives with his wife, Marilyn, and two children in Oakton, Virginia.